

**FILED**  
HARRISBURG, PA

Civil Action  
No. 1:20-cv-0081

Benjamin Ellis Freedland

v.

FEB 24 2019

3eTh Mattingly et al,

PER

DEPUTY CLERK

Motion of consideration to grant Plaintiff's request  
for temporary Restraining order against all named Defendants

In an overabundance of precaution, I, Plaintiff Pro se, request this courts consideration to grant Temporary Restraining order(s) against all named defendants in this civil action because there is a distinct possibility that irreparable injury could occur.

With consideration that injunctive relief in any form is "an extraordinary remedy that should be granted in 'limited circumstances'", The plaintiff maintains that all four factors, when determining wheather to grant such an order, are relevant and in order.

with respect to its likelihood of success on the merits and with consideration to the Plaintiffs allegations, Specifically those outlined in paragraphs 17, 18 & 19 of this complaint, giving a play-by-play description of the failiure to enforce safety measures set forth by Bureau of Prisons Policy and the Prison Rape Elimination Act, the threat of further retaliation or sexual victimization looms as a very likely scenario should he be transferd to FCI-Allenwood or to any prison that the defendants should currently work at.

With further consideration that plaintiff is currently pending imminent transfer to another prison and has a "pending redesignation" status at D.S.C.C. as of 2/17/2020 a transfer to FCI-Allenwood and or to a prison where one of the named defendants currently works would certainly warrent a distinct possibility that irreparable injury could occur.

A temporary restraining order(s) would greatly limit the possibility of irreparable harm if the preliminary injunction/Temporary Restraining order is denied and plaintiff is designated to a Bureau of Prisons facility where interactions with the defendants are likely.

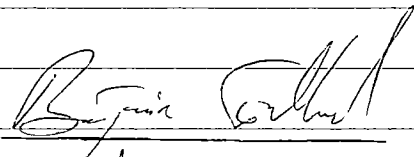
Furthermore, granting Preliminary relief shouldn't result in greater harm to the non moving party and the plaintiff strongly believes the public interest would favor such relief, albeit temporarily.

The Plaintiff thanks this court for its consideration of this motion.

Respectfully Submitted

February 17, 2020

Dated

  
signed

Name: Ben Freedland Number: 72119066  
Federal Correctional Institution 2  
P.O. Box 1500  
Butner, NC 27509

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HARRISBURG, PA

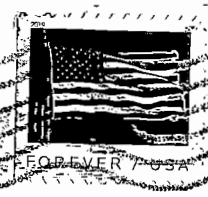
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PER

DEPT. CLERK

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RALEIGH NC 275  
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